

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

<p>OREXO AB and OREXO US, INC.,</p> <p>Plaintiffs,</p> <p>v.</p> <p>SUN PHARMACEUTICAL INDUSTRIES LIMITED, SUN PHARMA GLOBAL FZE, SUN PHARMA GLOBAL, INC., and SUN PHARMACEUTICAL INDUSTRIES, INC.,</p> <p>Defendants.</p>	<p>Civil Action No. 3:20-cv-12588 (consolidated)</p> <p>CLAIM CONSTRUCTION ORDER</p>
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CASTNER, District Judge

THIS MATTER having come before the Court upon on the Joint Claim Construction and Prehearing Statement submitted by Plaintiffs Orexo AB and Orexo US, Inc. (collectively, “Orexo” or “Plaintiffs”), and Defendants Sun Pharmaceutical Industries Limited, Sun Pharma Global FZE, Sun Pharma Global, Inc., and Sun Pharmaceutical Industries, Inc. (collectively, “Sun” or “Defendants”) (ECF No. 202); and the Court, having considered the parties’ submissions and having conducted a *Markman* hearing on November 16, 2022; and for the reasons stated in the Court’s forthcoming Opinion,

IT IS on this 24th day of January, 2023,

ORDERED that the disputed term “weak acid” in U.S. Patent Nos. 8,940,330 (“the ‘330 patent”), 9,259,421 (“the ‘421 patent”), 9,439,900 (“the ‘900 patent”), 10,874,661 (“the ‘661 patent”), 10,946,010 (“the ‘010 patent”), 11,020,387 (“the ‘387 patent”), and 11,020,388 (“the

'388 patent") (collectively, the "patents-in-suit")¹ is construed to mean an acid (proton donor) that only partly ionizes in water.

IT IS FURTHER ORDERED that if necessary, the Court reserves the right to revisit and amend the claim construction as this matter progresses, including during or after trial.

Date: January 24, 2023

/s/ Georgette Castner

GEORGETTE CASTNER, U.S.D.J.

¹ Orexo no longer asserts the '010 or '388 patents. (Orexo's Second Amended Opening Markman Brief, 1 n.1, ECF No. 277.)